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10 Attorneys for Plaintiff

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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15
16 UNITED STATES OF AMERICA,) No. CR 10-0256 MHP
17 Plaintiff,) STIPULATION AND [PROPOSED] ORDER
18 v.) EXCLUDING TIME UNDER 18 U.S.C. § 3161
19 CARLOS ALEJANDRO GARZA-LOPEZ,)
20 Defendant.)
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22 The parties appeared before the Honorable Marilyn H. Patel on April 19, 2010. With the
23 agreement of counsel for both parties, the Court found and held as follows:

24 1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161,
25 from May 3, 2010 to May 17, 2010, in light of the need for defense counsel to review
26 immigration court hearing tapes for possible defenses to prosecution. Failure to grant the
27 requested continuance would unreasonably deny defense counsel reasonable time necessary for
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1 effective preparation, taking into account the exercise of due diligence and the need for counsel
2 to review discovery and to conduct further investigation.

3 2. Given these circumstances, the Court found that the ends of justice served by excluding
4 the period from May 3, 2010 to May 17, 2010, outweigh the best interest of the public and the
5 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

6 3. Accordingly, and with the consent of the defendant, the Court ordered that the period
7 from May 3, 2010 to May 17, 2010, be excluded from the Speedy Trial Act calculations under
8 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

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10 SO STIPULATED:

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12 JOSEPH P. RUSSONIELLO
United States Attorney

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14 DATED: May 4, 2010

15 /s/
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18 PATRICIA SPALETTA
Special Assistant United States Attorney

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20 DATED: May 4, 2009

21 /s/
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23 ELIZABETH FALK
Counsel for Carlos Alejandro Garza-Lopez

24 SO ORDERED.

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26 DATED: 5/5/2010

